

APPENDIX A
CLAIMS ON APPEAL

7. A method of making a magnetoresistive sensor formed with an electrically conductive spacer interposed between a first and a second ferromagnetic layer, comprising the steps of:

selecting a first material having a first electronegativity for said first ferromagnetic layer;

selecting a second material having a second electronegativity for said electrically conductive spacer; and

selecting a third material having a third electronegativity for said second ferromagnetic layer;

wherein an absolute value of a difference between said first and second electronegativities is minimized, wherein said first material and said second material comprise substantially the same crystal structure, wherein said first material comprises a first face centered cubic material and said second material comprises a second face centered cubic material.

10. The method of claim 7, wherein said step of selecting said second material includes the step of selecting said material from a group consisting of Ag₃Pt, AgPt₃, Cu₃Pt, CuPt, CuPt₃, Cu₃Pt₅, Cu₃Au, Cu₃Pd, CuPd, CrIr₃, Cr₂Pt, and mixtures of said materials.

D. Application of the Legal Standard of Anticipation to Claims 7 and 10

As is abundantly clear from the Iwasaki excerpt above (Example 28), Iwasaki is not concerned with "electronegativity". In fact, the term electronegativity is not even mentioned at all in the Iwasaki patent. Rather, Iwasaki appears to specify certain orientations of the easy axis of magnetization. Iwasaki specifies, for example, that magnesium oxide may be used as a substrate material in order to cause an overlying magnetic layer to have a preferred crystal orientation that will, in turn, lead to a preferred easy axis of magnetization. The electronegativity conclusions drawn by the examiner on page 3 of his office action can not be inferred from the Iwasaki disclosure, as electronegativity is neither explicitly nor inherently disclosed.

To conclude, independent claim 7 is not anticipated by Iwasaki, and as a result, claim 7 and its dependent claim 10 are allowable, and such allowance is respectfully requested.

(9) Cancellation of Claims 12, 14, 15, 20, 24, 38, 39, 47, 48, 50, 56, 66, 79, 82

Applicants hereby cancel claims 12, 14, 15, 20, 24, 38, 39, 47, 48, 50, 56, 66, 79, and 82 without prejudice, leaving only claims 7 and 10 on file.

Please enter Claims -
(Appeal Brief)